

NEWS

From the Office of

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POSTMUS, OVITT DISCUSS PROPOSED SEX OFFENDER LAW WITH GOVERNOR'S LIAISON, LAW ENFORCEMENT

SAN BERNARDINO – Calling upon the Legislature to quickly approve landmark legislation that would make California's sex-offender laws the toughest in the nation, San Bernardino County Board of Supervisors Chairman Bill Postmus and Fourth District Supervisor Gary Ovitt today discussed the California Sexual Predator Punishment and Control Act with a representative of the Governor's Office at the Sheriff's headquarters in San Bernardino.

San Bernardino County Sheriff Gary Penrod hosted the roundtable meeting, along with District Attorney Mike Ramos. Representing Governor Arnold Schwarzenegger – who is sponsoring the legislation – was Les Weidman, recently appointed Public Safety Liaison to the Governor and former Sheriff of Stanislaus County. Also present were the County's Assistant Presiding Judge, Larry Allen, Chief Probation Officer Jerry Harper, police chiefs and representatives of victims advocacy organizations.

The Sexual Predator Punishment and Control Act, known as "Jessica's Law", is currently contained in two bills in the legislature: Senate Bill 588 by Senator George Runner (R-Lancaster), and Assembly Bill 231, by Assemblywoman Sharon Runner (R-Palmdale). The comprehensive bills would create several new and strengthened provisions in state law, including Global Positioning Satellite (GPS) tracking of paroled sex offenders for life, new, larger predator-free zones around schools and parks, and a stiffened "sexually violent predator" provision for violent first-time offenders. Jessica's Law would also increase penalties for these offenses, increase parole terms, and add new punishable offenses for sex offenders.

Sheriff Penrod said while San Bernardino County's law enforcement agencies and Courts have been aggressive in prosecuting and punishing those who victimize children, more tools, like Jessica's Law, are needed by law enforcement to enable them to take sexual predators out of society.

"I would like to commend and thank Senator and Assemblywoman Runner for introducing Jessica's Law in the Legislature, and also to thank the Governor for sponsoring this essential legislation," Chairman Postmus said.

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Postmus said Jessica's Law would give local government more control over placement of sex offenders, which is something cities and counties have sought for years. Postmus and Ovitt asked for and received unanimous approval from the Board of Supervisors Tuesday for the County's formal support of the legislation.

District Attorney Ramos said there were 984 child molestation victims last year in the County, and that the Legislature must act to strengthen laws protecting children. "I want to be clear in my message to the Legislature – we're serious, and if they don't pass these measures, I'm ready to fight for an initiative," he said.

Postmus agreed. "We need these changes in the law to protect our citizens, and if the Legislature won't pass them, we'll take it to the voters," he said.

Ovitt and Postmus have signed on as Statewide Co-Chairs of an initiative campaign currently gearing up to gather signatures to place the legislation on a statewide ballot next year should the Legislature fail to approve the Runner bills.

Postmus, who represents the High Desert, said his district has an excessively high number of sex offenders. The unincorporated town of Phelan recently faced a situation with the Community Care Licensing Division of the Department of Social Services planning to locate four developmentally disabled sex offenders in a group home. The home is surrounded by residences with families and children, Postmus said.

"The Phelan community rightfully protested, and those placements were not made. However, that situation underscored the need for legislation like Jessica's Law, because the state bureaucracy was actually following current law in that situation," Postmus added.

Section 1566 of the California Health and Safety Code specifically limits the ability of any county or city to regulate the placement or location of sex offenders in group homes. The Community Care Facilities Act requires that state-licensed residential care facilities for six or fewer persons be treated the same as single-family residences, exempting them from local zoning or business regulations.

"While we had a victory in Phelan because of the dedicated work of community activists and pressure from Assemblywoman Runner and the County, the fact remains the State's decisions in situations like that are still discretionary," Postmus said. "There's no guarantee that we would be successful should a similar situation occur again."

Supervisor Ovitt, who successfully pushed for enhanced Megan's Law websites while Mayor of Ontario and more recently at the County level, pointed out how important local government can be in helping control sexual predators. He said the Sheriff's Megan's Law website (www.co.san-bernardino.ca.us/sheriff) provides not only the name and location of known sex offenders, but also photographs of the offenders as well as the offenses committed, distinguishing marks, and aliases.

Postmus added that another recent effort by San Bernardino County has established it at the

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cutting edge among California counties in monitoring sex offenders on probation using Global Positioning Satellite (GPS) systems. "Our new GPS monitoring program, developed in coordination with the Probation and Sheriff's offices, is now operational," he said. Jessica's Law, if approved, would provide for lifetime GPS monitoring of sex offenders on parole or release from state prison.

Summary of 'Jessica's Law' Provisions:

- Requires registered sex offenders to wear a global positioning device for life.
- Increases penalties for possession of child pornography and makes it a felony.
- Establishes residency-restricted Predator Free Zones 2,000 feet from schools or parks.
- Ensures that sexually violent predators stay in a secure hospital until they are no longer a danger.
- Makes it illegal to lure children online.
- Establishes a sentence enhancement of five years for rapists who use a date-rape drug.
- Eliminates "good time" prison credits for habitual sexual offenders.
- Expands parole terms up to 10 years.
- Expands the 'One Strike' sex crimes list.
- Expands the Sexually Violent Predator Program by allowing for the classification as such a predator after one offense, requiring proof of a change in mental condition before release, and providing for indefinite periods of commitment to state hospitals.

More information on the Jessica's Law initiative can be obtained by calling (916) 444-1502, or online at www.childsafety2006.com.